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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/674,809

10/01/2003

Akira Arai

Q77797

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23373

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08/10/2005

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EXAMINER

TRAN, HOAN H

ART UNIT

PAPER NUMBER

2852

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,809	Applicant(s) ARAI, AKIRA	
	Examiner Hoan H. Tran	Art Unit 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 23-26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 9, 12, 15 and 18 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5-8, 10, 11, 13, 14, 16, 17 and 19-22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-22 in the reply filed on 05/25/2005 is acknowledged.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Drawings

3. The drawings are objected to because:
 - There are typographical errors in S15 and S20 of Fig. 3; e.g., "ELAPSED TIME IS PREDETERMINED TIME OF MORE" should be corrected as -- ELAPSED TIME IS PREDETERMINED TIME **OR** MORE--.
 - S19 of Fig. 3 should be stated differently; i.e., see lines 1-2, page 24 of the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must

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be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 7, 8, 17 and 22 are objected to because of the following informalities:

- Claims 7 and 8, line 5, replace "ofa" with --of a--.
- Claims 7 and 8, line 5, replace "anda" with --and a--.
- Claim 8, line 3, replace "a" with --the--.
- Claim 17, line 3, replace "an" with --the--.
- Claim 22, line 3, replace "a" with --the--.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozasa [‘530] in view of Kobayashi et al. [‘127]

Ozasa discloses an image forming apparatus comprising an image support [1], a developing unit [6] including a developer carrier [6c], and a control unit causing an idle operation of the developer carrier at a predetermined timing in a non-print state [Col. 4, line 57 to Col. 5, line 28]. However, Ozasa does not disclose the developer carrier having a conductive surface layer.

Kobayashi et al. disclose an image forming apparatus comprising a developing unit [12] including a developer carrier [2] having a conductive surface layer [Col. 4, lines 49-52].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the developer carrier disclosed by Ozasa having a conductive surface layer as taught by Kobayashi et al. for the purpose of providing a high quality image using one component developer.

7. Claims 12, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozasa in view of Kobayashi et al. as applied to claims 1, 4 and 9 above, and further in view of Yoneda et al. [‘481]

Ozasa in view of Kobayashi et al., as discussed above, disclose the claimed invention except for the developing unit is a rotary developing unit.

Yoneda et al. disclose an image forming apparatus [Fig. 1] comprising a rotary developing unit [4].

It would have been obvious to one of ordinary skill in the art at the time the invention

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was made to provide the image forming apparatus disclosed by Ozasa, as modified by Kobayashi et al., including a rotary developing unit as taught by Yoneda et al. for the purpose of producing high quality color image.

Allowable Subject Matter

8. Claims 2, 3, 5-8, 10, 11, 13, 14, 16, 17 and 19-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Elji Shimura [JP 2004-109980] discloses an image forming apparatus and method for forming image.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoan H. Tran whose telephone number is (571) 272-2141. The examiner can normally be reached from 8:30 AM - 5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Arthur Grimley can be reached at (571) 272-2136. The central office fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Hoan Tran". The signature is fluid and cursive, with the first name "Hoan" and last name "Tran" clearly distinguishable.

HHT

August 05, 2005

**HOAN TRAN
PRIMARY EXAMINER**